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A True

NARRATIVE

Concerning the Woods and Iron-Works of the

Forreſt of Deane,

And how they have been diſpoſed ſince the year 1635.

As appears by Records.

A True Narrative concerning the Woods and Iron works of the Forrest of *Deane*, and how they have been disposed of since the year 1635.

AT the Justice seat held by the Earl of *Holland* in or about the year 1635. It was Ordered; for the preservation of the Ship-Timber of the Forrest of *Dean*, that all Grants of the Woods, and Iron-works, made to the Earl of *Pembrook*, or any under him, should be called in, and an exact Survey to be made of all the Woods and Trees therein, by persons of special Trust and Ability.

Notwithstanding, within one year after, the said Woods and Trees (together with all the Iron-works) were granted unto Sir *Baynham Throgmorton* deceased, and others, for the terme of one and twenty years, at twelve thousand cords yearly, besides roots and spray, (*viz.* boughs) as by the said Patent appears; which yearly proportion in less time then their said term, would have consumed all the trees in the said Forrest; as evidently may appear, by a Survey taken about that time, by Sir *Will. Masters*, Sir *Robert Cook*, Sir *Walter Pye*, *Nathaniel Stevens*, *James Kirle* then Constable of the said Forrest, *Adrian May*, Gent. of his Majesties Privy Chamber, (Deputed by his Majesties special command to assist therein) and others, by vertue of a Commission and instructions to them directed.

By the return whereof, It appears that the whole quantity of Wood contained in the trees of the said Forrest, (the Lea Bayly excepted) was one hundred fifty three thousand two hundred and nine long Cords, and sixty one thousand nine hundred twenty eight Loads of Timber or thereabouts, of which said quantity of Timber, there was but fourteen thousand three hundred and fifty Loads that were Ship timber, and that the trees of that Forrest were generally decayed, and not above

above five hundred of them but what were paſt their full groath.

The conſideration hereof, moved his Majeſty ſhortly after to iſſue a Commiſſion to Sir *Charles Harbord* his Surveyor General, *John George* of *Ciceſter* Eſq; and others, to make an approvement of his Waſt Soyle of that Forreſt, being 22000. Acres or thereabouts beſides the Lea Bayly, which was executed with much exactneſs, and diligence; and after ſundry treaties and meetings, with the Inhabitants of ſeveral Pariſhes, who claymed right of Common therein, did ſet out by an agreement with the ſaid Commoners, few or none diſſenting, (interchangeably ſigned under their hands,) Four thouſand Acres for the ſaid Commoners and Poor of the adjacent Pariſhes, with diſafforeſtation of their Lands, pardon of all treſpaſſes and offences therein committed againſt Forreſt Law, confirmation to their Titles to the ſame, &c.

Not long after, his ſaid Majeſty cauſed another Commiſſion to be iſſued to *Charles Bridgeman* Eſq; one of the Verderers, *John Adean* Gent. one of the Regarders of the ſaid Forreſt, and two moſt able Shipwrights of that time, (particularly Deputed from the Trinity Houſe) with the aſſiſtance of Shipwrights from *Briſtol*, and the Officers of that Forreſt, to view and certifie (upon Oath) all the trees therein, that contained in them Timber fit for his Majeſties Shiping, and by return of their ſaid Commiſſion remaining upon Record, it was certified that the ſaid Trees were generally decayed, and there were marked with the Crown and broad Arrow, nine thouſand five hundred and ninety Timber trees, and in them no more but fifteen thouſand and three hundred and ninety Loads of Ship-timber, and but nine hundred eighty five young Trees that were not paſt their full groath.

Hereupon after mature Deliberation and publick diſcuſſion thereof at the Councel Table, His Majeſty granted unto Sir *John Wintour* all the ſaid improved Soyle, *viz.* 18000. Acres or thereabouts, and all his ſaid Wood and Trees within that ſaid Forreſt, in conſideration of ten thouſand pounds Fine, Eight thouſand pounds advance of Rent, ſixteen thouſand pounds yearly, for ſix years, and the Fee Farm Rent of nineteen hun-

The Trees the Lea Bayly were a part of the ſaid Soyle

dred and fifty pounds twelve ſhillings and eight pence for ever, having firſt under the great Seal Deafforreſted the ſame, reſerveing upon falling of the ſaid Trees fifteen thouſand Tuns of Ship-Timber *gratis*, to be made choice of by his Majeſties Officers, and if the quantity fell out to be leſs, then Sir *John Wintour* to pay nine ſhillings for every Tunn that ſhould be wanting of the ſaid quantity.

Note that a Tun of Timber cut into Cord Wood, will not make out a full ſhort Cord of Wood, which was not worth above five ſhillings, at the moſt, ſo that miſconverſion of Timber into Cordwood could not but be a great loſs to the Patentee, which was the greateſt ſecurity that could be imagined for preſervation thereof.

Moreover Sir *John Wintour* was oblieged by the ſaid Patent to grant to the ſaid ſir *Baynham Throgmorton &c.* thirteen thouſand five hundred Cords of Wood yearly, with two of the Furnaces and four Forges, for ſix years, whereby it appears that one half of all the Wood of the ſaid Forreſt was to be cut down by them, though none had been cut by Sir *John Wintour* in that time.

Sir *John Wintour* incloſed five thouſand Acres at leaſt of the ſaid ſoyle, for future groath of Wood and Timber, which in the year one thouſand ſix hundred forty one, or thereabouts, was deſtroyed and burned by the pretending Commoners, who have taken the whole benefit of the ſoyle ever ſince.

Sir *John Wintour* enjoyed the benefit of this Patent but one year and half, during which time the aboveſaid ſir *Baynham Throgmorton* &c. had alſo the uſe of the aboveſaid Iron works, and proportion of Wood towards his yearly couplement of 13500 Cord as aboveſaid.

Sir *John Wintour* left upon the ground, as appears upon record, ſeaven thouſand ſeaven hundred ninety eight Loades and twenty foot of Tymber, preſerved out of the trees cut down, in that time, which was more then had been reſerved in all the cutting of that Forreſt of twenty years before.

The ſaid ſir *Baynham Throgmorton* after the ſtop of ſir *John Wintours* ſaid graut, had the benefit of the ſaid works and woods granted unto him yearly as aboveſaid, until ſuch time

as the ſaid Sir *Baynham Throgmorton* was in Arms for his Majeſty.

From that time to his Majeſties Happy Reſtauration, there has been cut down a vaſt number of trees as appears upon record, by Capt. *Gifford*, Coll. *Kirle*, Capt. *John Brayne*, Capt. *Phillips*, Major *wade* and others, by ſeveral orders of the then pretending Houſe of Commons, which may appear by the Records of thoſe times.

Upon his Majeſties Happy Reſtauration, the ſtock of Wood then ready cut, and Charcole, &c. left at the ſaid Iron works by Major *wade*, worth to be ſold eight thouſand pounds, or thereabouts, was commited to the managing of certain Commiſſioners of ſpecial note under pretence of raiſing a greater profit to his Majeſty out of the ſame, but with ſo ill ſucceſs, that inſtead thereof 2000 *l.* was loſt of the principal ſtock ſo remaining, as appears by Record.

Whereupon it was not thought fit to commit any more the managing his Majeſties ſaid Woods and works in that manner upon account.

A Commiſſion was iſſued ſhortly after, to Mr. *will. Herbert* and others, and all the old trees remaining in that Forreſt (the Lea Bayly excepted) being in number 30000 or thereabouts, were by them viewed and certified to contain 12150 Cords of Wood or thereabouts, and eleven thouſand three hundred thirty five Tun, and twenty foot of Ship-Timber.

His Majeſty much compaſſionating Sir *Jo. Wintours* ſufferings in the late times, but deſiring withal to provide for future groath of Ship-timber out of the waſt Soyle, a great part whereof was certified to be moſt proper for that uſe, was pleaſed to grant all the ſaid Trees with the Iron-works to the ſaid Sir *John Wintour* in conſideration of his ſurrendring his ſaid former grant of all the ſaid Wood and Soyl of that Forreſt, worth above 100000 l. which his ſaid grant was acknowledged by his Majeſties Learned Counſel to be then good in Law, reſerving all the Ship-timber that his Officers appointed ſhould make choice of, for his uſe, out of the ſaid Trees as they ſhould be fallen. With a Declaration, that if the quantity thereof, ſo to be choſen by them, ſhould be leſs then eleven thouſand three hun-

hundred thirty five Tuns and twenty foot, Sir *John VVintour* is to pay his Majesty fifteen shillings for every Tun so wanting, and if it proved more then eleven thousand three hundred thirty five Tuns and twenty foot, his Majesty is to allow Sir *John VVintour* after the same rate, which is in valew three times more then the same would be worth, if cut into Cord Wood. And this has been duly observed upon the cutting down of the said Trees by Mr. *Clayton*, to whom, in consideration of a great summe of money, Sir *John VVintour* Mortgaged his said Grant of the said Trees, and Iron works, and all that was Timber in them had been viewed and made choice of accordingly, as is acknowledged by Mr. *Fuzzard* his Majesties Officer Deputed for that service, before any of the said Trees were cut into Cord-wood, except some petty abuses by the Wood-Cutters, or private stealths, which in a business of that nature was impossible totally to prevent, and what damage soever hath any waies accrued by neglect of Servants, or Agents, in Execution thereof, or any other the Covenants of the said Grant, hath been contrary to Sir *John VVintours* express order, and apparently to his loss, nevertheless being made out, Sir *John VVintour*, will satisfie his Majesty for the same, in case the Agents & Workmen so offending be not sufficiently responsible.

Clayton hath made 52 *l.* [illegible] of the Grant, [illegible] up [illegible] hath appear.

[illegible] said [illegible] been five and [illegible] and [illegible] in [illegible] ion [illegible].

If the Timber that was in the said Trees, hath neither for quantity nor quality answered the estimation thereof that was made by Mr. *Herbert* and other Commissioners as abovesaid, it is not to be imputed to Sir *John Wintour*, who is ready to make good the Covenant of his Grant concerning the same.

The destruction of the Tymber in the Forrest of *Deane* so generally noysed, to be done by Sir *John Wintour*, in vertue of Grants obtained by him, must necessarily relate to the Tymber growing in the old Trees, that have been cut down, or to what might have sprung out of the Soyle of the said Forrest.

The former Narrative which is all attested by Records sets forth the little quantity that Sir *John VVintour* has had of the said Trees by vertue of his said Grants in respect of others, and the careful provision that was made therein for preservation of Ship-timber.

And for the underwoods Sir *John VVintour* never cut down any

any of the ſame, but have been abſolutely deſtroyed by the Commoners and others.

The hopeful groath of Wood and Timber at the places called *Canop*, *Maleſcot*, and the *Copes*, in that Forreſt, which Major *Wade* had incloſed as part of the Kings ſoyle, but indeed were in grant to other perſons, have been cut down by others not by Sir *John Wintour*, which (nevertheleſs) divers taking notice thereof in their travelling that way, imputed it as done by Sir *John Wintour*, to the deſtruction of the Kings Woods of that Forreſt, the reſt of the Incloſures made by the ſaid Major *Wade* were thrown open and deſtroyed upon pretence of Common, and at the inſtigation of ſome who as they lately acknowledged pretended thereby to promote his Majeſties happy Reſtauration, by engaging thereby thoſe people to be more active therein. As to their conſenting to the late Propoſals, until that they found themſelves neceſſitated to ſet forth and juſtifie in his Majeſties Court of Exchequer, their legal pretences to ſuch right of Common therein, the ſaid Commoners (at leaſt the prevailing party amongſt them) upon ſeveral Commiſſions and treaties from his Majeſties Officers, did utterly refuſe to conſent to any encloſure for future groath of Ship-Timber out of the ſaid Waſte, if the ſame were to remain for continuance: And the ſaid Lord Treaſurer was perſwaded in his Judgement, that the intended production of Ship-Timber would not come to effect, if the Lands ſo incloſed for that uſe ſhould at any time hereafter come to lye open, or Deer kept in them.

In which conſideration, after ſeveral other Treaties concerning the beſt way to compaſs the ſame, (purſuant to the deſires and recommendation of the Honourable the Houſe of Commons in that behalf) his Majeſty by the advice of the ſaid Lord Treaſurer, and other his principal Lords and Officers, accepted of certain propoſals made by Sir *John Wintour*, for the incloſing and maintaining for ever, without charge to the Crown, 10000 Acres of the ſaid ſoyl, whereof *Conop Fellet* to be part, to be kept in ſeveral from all annoyance by any ſort of Cattle, meerly for future encreaſe of Ship-Timber, and at his charge to make out his Majeſties right in Law, to the

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improvement made heretofore by Sir *Charles Harbord* and other Commiſſioners as aboveſaid, allowing to the ſaid Sir *John Wintour* in compenſation of his charge and hazard therein, all the reſt of the waſts ſo improved (the Lea Bayly and divers other parcels being no part thereof) as by Articles ſigned and ſealed thereupon appears.

This bargain was not ſought or obtained by Sir *John Wintour* upon the ſcore of any former Debt or demand from his Majeſty, but meerly for the accompliſhment of that ſervice, and by expreſs Command from his Majeſty, when no other but himſelf, upon the like terms would undertake the ſame, which is well known to his Majeſty and the Lords, and acknowledged in the ſaid Articles.

And next to his Majeſties ſaid command, the enſuing conſiderations gave him moſt encouragement ſo to do, and to beleive his endeavours therein would be very acceptable to the Parliament.

1. That it was profitable to his Majeſty, who neither at preſent nor future was to be at any expence about the ſame.

2. That it was a moſt certain and undoubted way for future production of Ship-Timber there, by reaſon of the perpetuity of Incloſure.

3. That it was advantagious to the generallity of the Freeholders of the Forreſt, in freeing their Lands from ſubjection to the Forreſt Laws, and annoyance by the Deer, as alſo their perſons from the chargeable attendance at Forreſt Courts, *&c.*

4. That it was moſt beneficial to the poorer ſort that have no free-hold Land, whereof 200 of them or more in the ſeveral Pariſhes within the petambulation of that Forreſt, were to have 5 or 6 Acres beſtowed upon them *Gratis* for three lives, the reverſion thereof to be hereafter at the diſpoſe of the reſpective Pariſhes for their poor for ever, beſides the relief they might have by the multiplicity of all ſorts of work, for men, women and children, by means of the improvement.

5. That it was not unpracticable, for that the pretended rights of thoſe Commoners that only oppoſed it, depends upon a very clear point in Law, which after great endeavours to delay, is now at iſſue, ready for hearing, in his Majeſties Court of Exchequer, where the major part of the Lords of Manors and Freeholders that claim Common as aforeſaid, have already conſented, & are bound by Decrees of that Court, and particularly by the laſt clauſe of that of 3. *Caroli* which therefore was omitted by his Adverſaries, in recital of the ſaid Decree 3. *Caroli*.

If nevertheleſs, any other way for his Majeſties greater benefit and increaſe of Ship-timber as aforeſaid, ſhall be approved of, Sir *John Wintour* in all obedience will quit his ſaid bargain, and ſurrender his ſaid Articles, though paſſed under the great Seal, upon reaſonable compenſation for his charge and expence in proſecution thereof, which was done by his Majeſties direction and command as aboveſaid.